An Account of the Arraignment, Tryal, Escape, and Condemnation, of the *DOG* of *Heriot's Hospital* in *Scotland*, that was supposed to have been Hang'd, but did at last slip the Halter.

SIR,

KNowing that you are desirous to hear news from *Scotland*, I thought fit to show you that the Act whereby all publick Officers are obliged to take the Test, is rigorously put in execution, and thereby many persons both in Church and State, throughout the whole Kingdome, by reason they are not free to take the said Test, are necessarily turned out of their places, whilk severall gave occasion to a merry Club belonging to the Hall Closs of *Heriot's* Buildings in *Edinburgh*, to divert themselves with somewhat like the following Tragi-Comedy.

The Lounes it seems fell intil a debate amongst themselves, whither or no, one Mastiffe Tyke, who keept the outmost gate, might not by reasone of his Office of Trust, come within the compasse of the Act, and so, be obleadged to take the Test, or be turned out of his place.

(The Tyke thereupon was called, and interrogate, whither he wold take the Test, or run the hazard of forfaulting his Office, whilk was asked again, and again.

The silly Curr booting no ill, answered all their Queries with silence, whilk had been reckoned a flat refusal, had not one of the Lounes, mair bald then the rest, taken upon him to be his Advocate, who standing up, pleaded that silence might as well be interpreted consent as refusall, and thereupon insisted, that it might be tendered to him in a way maist plausible, and in a posture maist agreeable to his Nature.

This Debat lasted not long, until all agreed, that the Printed Copy should be crumbled as little bodies as it could, and thereafter smeared over with Tallow, Butter, or what else might make it slip down in lapping to his appetit; this done, he readily took it, and after he had made a shift, by tossing it up and down his mouth, to seperat what was pleasant to his palate, and what all seemed to be over, cast it had down they observed somehat (like piece after another) dropped out of his mouth, quhilk the Advocate on the other side told it was the Test, and that all his bristles champing and showing of it, was only to seperate the concomitant nutriment, and that this was indeed worse then all the rubbish that could be, to seperat the concomitant nutriment, and that this was indeed worse then all the rubbish that could be, were rightly examined, would upon Tryal be found no less then Lesing-making.

To this his Advocat opponed, That his Cheeks having the rowing of knots about them (through deadly feare) have put some crooked prin intil it, and that all the fumbling and rowing of it about his mouth, might be by reason of the prin, and not through any Cunning as the Test it self: And that other was sought in the hall matter, that looked like Lesing-making, cannot by interpretation, and that Adversaries allowed to be the only Interpreters. Yea, what was mair offered, that his Client should have a fair Tryal before competent Judges, quhilk was unanimously granted.

A Court thereupon being conveened, and assize constitute, the Indictment being read, there fell out variety pleading upon saith sides, amongst the Advocats, those against him pleaded, that he was very ungrateful to take so mickle upon him, and that the shaming and chasing of the Test belonged nought to him, but to some like him, who served only in inferior Offices, and that his craft and power reached nought so far, and by what he had done, he had made himself guilty of mair nor a bare refusall, according as was Libelled. Those for him pleaded, That he could be guilty of nathet, since he had freely taken it in his mouth, willing to have swallowed it down, and that ther was no fault in him, seeing its self, that so quaffed was since it fell a squabeling, one part of it blustering another fighting in his hand, and it would have agreed in its self, to have gone down all the way, he wold blithely swallowed it, as he had done many unsanctified morsel before, as is well known to all the Court, and other pleaded, that he had offered very dutifully, and was never known to balk his Trust: bot that was answered with this, all his former good Service could not excuse his present guilt; guilt qwoth an other, if that be guilt, he hath many marrows, and why should he be worse handled then all the rest? bot what ever could be said in his favors, when the buisness came to the Jury, they found that he had so mangled the Test with his explanatory rubbish and teeth, and so miserably abused it with his slaver, that it was right food agreed upon, to be no Test: Interpretative Treason, and consequently brought him in guilty of Lesing-making, whereupon he was ordered to close Prison, till ane other time, that the Court cold him forth to receive his doom, to be hanged like a Dog.

As the Lounes was removing him from Court to Prison, they chanced a Curr to be present, who asked, what was the matter, what ailed them at the Dog? one of the Lounes answered, What for being in publick Trust, was required to take the Test, and had both refused it, and stumbled, whereupon he was ordered to be hanged; the Curr storming, said, They deserve all to be hanged for such prelimi-prelatick knackery; the Lounes laughing aloud, cryed out with one consent, That he and his Brethren deserved better to be hanged, then any of them, or the Tyke eather, since they had swallowed that which the Tyke had refused.

This surprising Verdict, you may be sure, created no small grumbling of the guillotine with the Advocats and others, who spared not to utter their private sentiments, and blaze abroad the Arguments Pro, and Con, and what further might have been homologating, had not the Court halsted to have the Tykes Life, take a few of them as they come to hand.

Some suspected deadly fewd in the Chancellor of the Jury, alledging that the Enemy was past for to bear Judg, this was answered with, that he was of more Noble Eareach, than to stain his honour with so base an Act, and that his own Reputation wold make him favored; an other objected, that a Tyke refusing to good a Test, might be of ill example to Creatures of better reason; to this a pakie Lous answered, That it could not be good, since Lyon Rampant, King of Tykes, nor none of his Royal Race, would not so much as lay their Lips to it, far less to swallow it; and therefore, this was interrupted by one, who was a principal Linnier among them (a contradictious rectus ille) who wold establish points with a Logical distinction, wherby he like one *Aberdeen* man, might Cant and Recant again.

Bot he was soon snibed by an other, who said, That the Tyke wold rather sup Kail with the Divl, not the Pope, and therfore needed not his long Spoon; well said not other, this is mair nor needs, since we

are all sure that the Tyke could not have kept his Office so long, but he must needs have swallowed many a bitter Bit before this time, and it was but gaping a little wider and the Test had out over. Nay, quoth his Neighbour, the hazard was greater than we imagine, for the Test, as it was rowled up, had many plyes and implications knit, one contrary to another, and I'm the Tyke with his teeth had not once ere it had been all over, ilk ply as it were rencountering another wrestling and fighting in his jaws.

Faith, quoth an other, this is a Popish sleight indeed, since the Tyke (in my opinion) swallowed the better part, if not the hail Test, though I wold confess, he hath vomited it up again, let us therefore try him, if like a Dog he will lick up his own vomit, but this proposal was universally hissed, but by the most charitable, as bootless, and by the most severe, as to great a favor.

Favor (quoth a Chield, who had been sleeping all the while, and only heard the word favor) what, show favor to such a Loun as he? na, rather let him who hath the longest Arm, thrust it so far down his Throat, so that an other may pull it out at his Tail, then be thus fashe with him, though he were my own Brother, and then we may be sure he hath taken it, and all the pains of it, but this only moved Laughter, for none was found that wold undergo so foolsome a hazard.

But to return to the Tyke, for some will be curious to hear what came of him, matters being thus precipitat, and all hopes of reprieve uncertain. Wylie Loun advised him to lay down sleeps (which had done him so little good) and put on the Foxes skin, who covers it through fear, hiding his own tail between his Legs, and griping an others train, pulled through all the fairest undiscovered, and swa is a missing.

This he was forc'd, when right did fail
To give them the slip with a Foxes Tail.

Now what is become of him fine fyne, and what proclamations was issued out after him, you may probably hear hereafter.

Mean while, because the contradiction reconciler was so soon (contrary to the Laws of disputation) interrupted, before he could bring forth his Logical distinction, and since the curious have severly tormented their Ingines, searching which of the School distinctions that might, I shall only trouble you with a few of their conjectures, and leave it to the judgment of the Reader to determine, which had been most probable.

One fancied that it was this, that the Tyke might take the Test, *Secundum Quid*, though not *Simpliciter*, one other, *in sensu diviso*, though not *in sensu composito*, a third, that though it was deadly to take it with *verbal interpretations*, yet it might be safe enough, with *mental reservations*, a fourth, perhaps him on this, that though his stomach did stand at it, *in sensu proprio*, yet might easily digest it *in sensu equivoco*, a fifth, (gessing the while) was for this, that it might take it, (though not *formaliter*, in at his mouth, by way of Bolus or Bolus, yet *saltem materialiter*, in some honest, by way of Glister or Suppository? a sixth, brought forth this blind whim, that it might be safely taken, *in articulo mortis*, but could not think on the other member of the distinction; and some said it had none, the times when it was used, being so ignorant and superstitious; a seventh, who thought all the former distinctions too subtil and airie, and that which was bred in the hose wont never out of the fish, except by more severe Medecins, there was yet tried, propounded, an admirable compound to be used, as an excellent preperative to the Test, alleadging, that all those needless scrupulosities did proceed from these ill humors, which could not be expelled, without the soporiferous of Christianity; the Receipt, as it was transcribed out of the Packet of Advice from Rome, take as follows, from the Laboratory of the Inquisition, *Jure*.

After many Years pains and study, a never failing Medicine, called a Catholique Pill, to purge out Christianity, approved by the most Learned Fathers in *Spain*, *Italy*, and other places; the true Receipt is as follows,

Receipt. *Take eleven pound weight of any sort of nuts, as many Drams of Mastick Drugs as you can get, half a score of planary indulgences, and a dozen of well exercised Equivocations, Vizard Masks as many as you please, and a pocket full of Dispensations, boil all these in a Jubilee, and add juice of the Doctrine of probable Opinions, and of Seminary Priests Loyalty, quantum sufficit, after fermentation, Clap on Mass Mitigated, proceed, scum down arrogancy, by the Ashes of Pope Crelly, to give it a Tincture, sprinkle a small dash of Poyson, and many of the whole nuts in the Pope infallibility, and take it strained in a Cup of Absolution, at any time of Life, but especially at the hour of Death, and it will do your business. The Operation is downwards, or inward, carrying all humors that way. It is also Opiat, or stupifying, because after a sufficient Dose of it, you may swallow any Malignity whatsoever, without any hazard of crying.* Probatum est.

——Ridebis dicere verum,
Quid vetat—— *Juvet*——

Now Sir, The news of the Tykes escape being blazed abroad, the Court assembleth to consult, what was then agane to be done, several overtures was proponed; one said, that the affronting escape, and other misdemeanors of that Tyke, was so great, that the highest severity was too little, an other said, since he is gone, let him go, what have we more to do, but put another in his place; a third said, that his presumptuous and treasonable carriage, wold be of ill example to others, unless due punishment followed thereupon; a fourth said, had he not been confident of his own Innocency, he wold never have tyden a Tryal, and since he met with such a surprising Verdict, what could he do less, then flee for his Life? wold not the best in the Court, if he had been in his Circumstances, done the like; a fifth said, if he had been condemned, and hanged in time, he had not played us this prank, but seeing we have called him, self, let us see well on what he hath left behind him. After debating, they came to a conclusion, and ordered the same to be Published; the Tenor whereof follows,

Whereas one cutt lugged, brownish coloured Mastiff Tyke, called Watch, *short legged, and of low stature; who being in Office of Publick Trust, was required to take the Test, and when it was lawfully tendered to him, he so abused it, and mangled it: whereupon he, after due Tryal for his Presumption, was Convict of Treason, and since he hath broken Prison, whereupon the Court adjudges him, To be hanged like a Dog, whenever he shall be apprehended; and in the mean time, do relieve his Office, his hail Effat heritable and moveable, and all emoluments belonging to him, to be Rebonted and forfaulted; and Ordeans the Collectors of the Court to uplift his Rents and Emoluments, and to be countable to the Court, both for diligence and intromission, and also discharges all persons to reset or harbor the Fugitive Traitor, and likeways, gives assurance to all persons, who shall either apprehend him, or give true information of him, swa that thereupon he be duly apprehended, the person swa doing, shall have 500 l. for his pains, given at our Court, &c.*

London, Printed for the Author, *M. D.* 1682.

135-135